

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<u>NICOLE MEDICAL EQUIPMENT &</u>	:	CIVIL ACTION
SUPPLY, INC.,	:	10-389
Plaintiff,	:	
	:	
v.	:	
	:	
TRICENTURION, INC. and	:	
NHIC CORP.	:	
Defendants	:	
<u></u>	:	

ORDER

AND NOW, this 28th day of March, 2011, upon review of Defendant's Motion to Dismiss [Doc. No. 16], Plaintiff's Response, Defendant's Reply and Plaintiff's Sur-Reply, and for the reasons set forth in the attached memorandum opinion, it is hereby **ORDERED** that Defendants' Motion is **GRANTED**. Plaintiff's Complaint is dismissed with prejudice as the Court lacks subject matter jurisdiction over the claims.

The Clerk of Court is **DIRECTED** to mark this case **CLOSED**.

IT IS SO ORDERED.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.